

Message Text

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ACTION DLOS-06

INFO OCT-01 EUR-12 ISO-00 FEA-01 ACDA-07 AGRE-00 AID-05

CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00 DODE-00

DOT-00 EB-07 EPA-01 ERDA-05 FMC-01 TRSE-00 H-01

INR-07 INT-05 IO-13 JUSE-00 L-03 NSAE-00 NSC-05

NSF-01 OES-06 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15

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FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC PRIORITY 2179

C O N F I D E N T I A L OTTAWA 0209

E.O. 11652: GDS

TAGS: PLOS, CA

SUBJECT: STRATEGY FOR INTERSESSIONAL CONSULTATIONS ON LOS

REF: STATE 298001

1. SUMMARY. FOLLOWING IS A BRIEF DISCUSSION OF PRINCIPAL LOS PROBLEMS WHICH AFFECT US/CANADIAN RELATIONS. SEPT-EL PROVIDES INFORMATION ON CANADIAN ROLE IN LOS CONFERENCE AND POSSIBLE ROLE OF EMBASSY AND USDEL IN DEALING WITH CANADIANS. MAJOR STICKING POINTS BETWEEN US AND CANADA ARE CONTINENTAL SHELF, STRAITS/ARCTIC POLLUTION AND DEEP SEABED MINING. END SUMMARY.

2. ALTHOUGH FOR MOST PART US AND CANADA HAVE SEEN RELATIVELY EYE TO EYE ON LOS MATTERS, GOC'S DESIRE TO PROTECT NATIONAL INTERESTS AND CURRY FAVOR WITH THIRD-WORLD COUNTRIES HAS OCCASIONALLY BROUGHT US AND CANADA INTO CONFLICT. FOLLOWING ARE PRINCIPAL AREAS IN WHICH CONFLICT OR POTENTIAL FOR CONFLICT EXIST.

3. CONTINENTAL SHELF. CANADA HAS ONE OF WORLD'S
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LARGEST COASTLINES AND CONTINENTAL SHELVES. ACCEPTANCE OF CANADIAN MAXIMUM CLAIMS WOULD NOT PLACE CANADA'S JURISDICTION AT EDGE OF RIVER THAMES AS SOME OF MORE ACERBIC CRITICS MAINTAIN, BUT WOULD EXTEND IT 600 MILES TO SEA. THERE IS NO EVIDENCE THAT CANADA IS WILLING TO RELINQUISH THIS CONTINENTAL SHELF CLAIM.

4. DEEP SEABED MINING. US PROPOSALS ON DEEP SEABED MINING HAVE CAUSED CANADA GREAT CONSTERNATION. ON ONE HAND, CANADA WOULD LIKE TO CURRY FAVOR WITH THE THIRD WORLD ON THIS ISSUE. BUT ON OTHER HAND, IT HAS SIZE-ABLE MINING INDUSTRY OF ITS OWN WHICH WOULD LIKE TO TAKE PART IN DEEP SEABED EXPLOITATION. FURTHER COMPLICATION IS THAT CANADIAN GOVERNMENT POSITION REFLECTS FEAR US EXPLOITATION OF DEEP SEABED WOULD JEOPARDIZE HER DOMESTIC LAND-BASED MINES. THIS VIEW SEEMS TO ORIGINATE DIRECTLY FROM NON-FERROUS MINERAL EXPERTS IN DEPARTMENT OF ENERGY, MINES AND RESOURCES (EMR) WHO HAVE DONE PROJECTIONS OF WORLD ANNUAL NICKEL DEMAND AND PRODUCTION TO YEAR 2000. THIS ANALYSIS INDICATES THAT AT 6 PERCENT GROWTH RATE USED IN REVISED SINGLE NEGOTIATING TEXT (RSNT), NUMBER OF ADDITIONAL MINE SITES RESULTING FROM SEABED PRODUCTION COULD DEVELOP INTO SERIOUS COMPETITIVE THREAT TO CANADIAN INDUSTRY.

5. AS USG LOS PERSONNEL ARE PROBABLY AWARE, CANADIANS ARE PROPOSING ALTERNATIVE REGIME BASED ON CONTROLLED 4.5 PERCENT GROWTH RATE THAT WOULD ALMOST HALVE TOTAL NUMBER OF SEABED MINE SITES FOR SAME PERIOD. EMR OFFICIALS RESPONSIBLE FOR THIS ANALYSIS ARGUE WITH SOME EMOTION THAT THEIR CALCULATIONS SHOW CLEARLY THAT CANADIAN INTERESTS WOULD BE DAMAGED BY A REGIME PERMITTING 6 PERCENT GROWTH RATE ENVISIONED IN RSNT.

6. HOWEVER, THIS POSITION APPEARS AT ODDS WITH CANADIAN INDUSTRY VIEW. LATTER HAS INDICATED TO EMBASSY THAT IT CONFIDENTIAL

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DOES NOT SHARE GOC CONCERN OVER USG POSITION. AS MENTIONED ABOVE, INDICATIONS ARE THAT INDUSTRY WOULD LIKE TO TAKE PART IN DEEP SEABED EXPLOITATIONS. IN ANY EVENT, DIFFERENCES BETWEEN GOC AND INDUSTRY VIEWS SHOULD BE CAREFULLY EXPLORED FOR MAXIMUM NEGOTIATING ADVANTAGE.

7. STRAITS/ARCTIC POLLUTION. CANADA SEES INTERESTS BEST SERVED BY MAXIMUM COASTAL STATE JURISDICTION OVER STRAITS, IN VIEW OF ADVANTAGE THIS OFFERS IN CONTROLLING NORTHWEST PASSAGE. THIS POSITION BROUGHT GOC INTO DIRECT CONFLICT WITH USG, SINCE CANADA'S OWN INTERESTS AND HER DESIRE TO CURRY FAVOR WITH THIRD WORLD MILITATED AGAINST COMPROMISE. US PROPOSAL THAT CANADA SOFTEN POSITION ON STRAITS IN RETURN FOR US SUPPORT ON CANADIAN ARCTIC POLLUTION CONTROL WAS GREETED WITH INTEREST BUT WAS NOT DEFINITELY ACCEPTED BY CANADA UNTIL DEEP SEABED MINE ISSUE EMERGED. SUDDEN CANADIAN REVERSAL ON STRAITS-ARCTIC POLLUTION COMPROMISE

FOLLOWING US PRESENTATION OF DEEP SEABED ISSUE WOULD SUGGEST THAT ONLY SUCH STRONG EVIDENCE OF US ABILITY TO HARM OTHER CANADIAN INTERESTS MADE CANADA AGREE TO COMPROMISE. IT IS ALSO POSSIBLE THAT GOC'S DELAY WAS SIMPLY ILL-CONCEIVED NEGOTIATING TACTIC, AND THAT GOC WOULD ULTIMATELY HAVE GONE ALONG WITH US. IN ANY CASE, OUR LEVERAGING ON THIS ISSUE CREATED SOME TURBULENCE, AND MAY HAVE BEEN EXCESSIVE CONSIDERING OUR BROADER INTERESTS IN MAINTAINING COOPERATIVE RELATIONS WITH GOC.

8. CANADA REMAINS ONE OF MORE ARDENT PROPONENTS OF COASTAL STATE CONTROL OVER POLLUTION, WITH SPECIAL INTEREST IN RECOGNITION FOR ARCTIC POLLUTION CONTROL REGIME. THUS CANADIAN FOOT-DRAGGING ON STRAITS/ POLLUTION COMPROMISE IS UNDERSTANDABLE. HOWEVER, CANADA'S CASE IS WEAKENED BY BLATANT SELF-INTEREST
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WHICH PREVAILED WHEN CANADA DECIDED TO DRILL FOR OIL IN BEAUFORT SEA. US SENATE ACTIONS TO INCREASE COASTAL STATE JURISDICTION FOR POLLUTION CONTROL FOLLOWING RECENT SPATE OF OIL TANKER MISHAPS MAY OFFER OPPORTUNITY FOR RAPPROACHEMENT ON ISSUE TO WHICH GOC ATTACHES SUCH IMPORTANCE.
ENDERS

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